

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

TIFFANY KIRKLAND

PLAINTIFF

v.

CAUSE NO. 1:18CV293-LG-RHW

**JACKSON COUNTY BOARD
OF SUPERVISORS**

DEFENDANT

ORDER OF DISMISSAL

THIS CAUSE comes before the Court on the Plaintiff's failure to pay the filing fee. Plaintiff was denied leave to proceed in forma pauperis and ordered to pay the filing fee by December 5, 2018. She was warned that her failure to pay the filing fee by that date would result in dismissal of the case. (*See Order Adopting Rep. & Rec. 2, ECF No. 6.*) She attempted payment on February 2, 2019, but her check was returned for non-sufficient funds. The Clerk of Court notified her that the filing fee plus the non-sufficient funds fee were now due, and Plaintiff advised that she would bring the full amount on Thursday, February 21, 2019. The funds were not received on that date.

The Court has authority to dismiss an action sua sponte for failure to prosecute and failure to comply with court orders under Rule 41(b) of the Federal Rules of Civil Procedure and under its inherent authority. *See Link v. Wabash R.R.*, 370 U.S. 626 (1962); *Larson v. Scott*, 157 F.3d 1030 (5th Cir.1998). This case is due to be dismissed for Plaintiff's failure to comply with the Court's order.

IT IS THEREFORE ORDERED AND ADJUDGED that this case is **DISMISSED** without prejudice.

SO ORDERED AND ADJUDGED this the 22nd day of February, 2019.

s/ *Louis Guirola, Jr.*

LOUIS GUIROLA, JR.
UNITED STATES DISTRICT JUDGE